

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

INVENTORY LOCATOR SERVICE,)	
LLC,)	
)	
Plaintiff/)	
Counter-Defendant,)	
)	
v.)	No. 02-2695 Ma/V
)	
PARTSBASE, INC.,)	
)	
Defendant/Counter-Claimant.)	

ORDER DENYING PARTSBASE'S MOTION TO TEMPORARILY HALT DEPOSITIONS

The complaint alleges that the Defendant, PartsBase, Inc. ("PartsBase"), obtained unlawful access to the computerized database of Plaintiff Inventory Locator Service, LLC ("ILS"). PartsBase has counterclaimed, alleging similar conduct by ILS. This matter is set for trial in October, 2006. Before the court is PartsBase's May 31, 2006 motion to temporarily halt depositions set by ILS in another matter in alleged violation of this court's orders. ILS responded on June 19, 2006.

ILS has filed suit in Florida against two employees of PartsBase, Timothy Kohl and Frank Rivera. PartsBase claims that ILS's discovery requests in the Florida case seek a broad range of documents and records. PartsBase argues that ILS is using the discovery process in the Florida court to circumvent this court's scheduling order. PartsBase moves this court to halt the

depositions of Rebecca Flick ("Flick") and Jesse Josephson ("Josephson"), two witnesses for PartsBase. PartsBase contends that ILS may obtain relevant information for this case while deposing Flick and Josephson and seeks deferral of their depositions until the trial in this court has concluded. PartsBase cites no case or statute authorizing this court to halt depositions in a Florida court.

ILS responds that it is conducting discovery in accordance with Florida Civil Procedure and that the Florida court has denied a similar request by PartsBase. ILS contends that PartsBase cannot obtain an injunction of the state court proceedings.

The Anti-Injunction Act (the "Act"), 28 U.S.C. § 2283, states that: "A court of the United States may not grant an injunction to stay proceedings in a State court except as expressly authorized by an Act of Congress or where necessary in aid of its jurisdiction, or to protect or effectuate its judgment." PartsBase does not argue that the relief sought falls within an exception to the Act. None of the facts in the motion would support such a conclusion. Therefore, PartsBase's motion to halt the depositions in a Florida court is DENIED.

So ORDERED this 6th day of July 2006.

s/SAMUEL H. MAYS, JR.
UNITED STATES DISTRICT JUDGE